

## PROSKAUER ROSE LLP

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<b>Sender</b>	<b>Date</b>	<b>Client-Matter</b>
Anthony C. Coles	August 10, 2001	73021-016
<b>Sender's Voice Number</b>	<b>Main Fax Operator's Number</b>	
212.969.3138	212.969.5050 (Voice)	

**Fax Transmittal**

<b>Room Number</b>	<b>Pages (incl. cover)</b>
17-28	11

<b>To</b>	<b>Company</b>	<b>Fax Number</b>	<b>Voice Number</b>
Examiner Tan Anh Nguyen	U.S. PTO - Group Art Unit 2714	(703) 308-7722	

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**Message**

<b>Applicant</b>	:	Danial O'CALLAGHAN
<b>Serial No.</b>	:	08/963,944
<b>Filed</b>	:	November 4, 1997
<b>Title</b>	:	TWO DIMENSIONAL NAVIGATION OF MULTIPLEXED CHANNELS IN A DIGITAL VIDEO DISTRIBUTION SYSTEM

Examiner Nguyen:

Attached please find the following:

1. Amendment (7 pages)
2. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137 (b)
3. Fee Transmittal

Please contact me at (212) 969-3138 if there are any questions.

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**FACSIMILE TRANSMISSION CERTIFICATE**

I hereby certify that these papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Alexander Migirov

Name of person signing the certification

Alexander Migirov

Signature

August 10, 2001

Date

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PTO/SB/17 (09-00)

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 1,320.00**Complete If Known**

Application Number	08/963,944
Filing Date	November 4, 1997
First Named Inventor	Daniel O'CALLAGHAN
Examiner Name	T. Nguyen
Group Art Unit	2714
Attorney Docket No.	73021-016

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number  
  
Deposit  
Account  
Name

16-2500

Proskauer Rose LLP

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	480	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
17	-20** = 0	0	0
4	-3** = 1	80.00	80.00
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$)**

80.00

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or path	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	185	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	1,240.00
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
189	900	189	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 1,240.00**SUBMITTED BY**

Name (Print/Type)

Anthony C. Gales

Registration No.  
(Attorney/Agent)

34,139

**Complete (if applicable)**

Telephone

212.969.3000

Signature

Date

August 10, 2001

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
73021-016First named inventor: **Daniel O'CALLAGHAN**Application No.: **08/963,944**Group Art Unit: **2714**Filed: **November 4, 1997**Examiner: **T. Nguyen**Title: **TWO-DIMENSIONAL NAVIGATION OF MULTIPLEXED CHANNELS IN A DIGITAL  
VIDEO DISTRIBUTION SYSTEM****RECEIVED**Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

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OFFICE OF PETITIONS  
DEPT. OF COMMERCE

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**RECEIVED**NOTE: If information or assistance is needed in completing this form, please contact the  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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## 1. Petition fee

☐ Small entity-fee \$\_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,240.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in  
the form of Amendment (Identify type of reply):☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$\_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.**RECEIVED**

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[Page 1 of 2]

OFFICE OF PETITIONS  
DEPT. OF COMMERCEBurden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on  
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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

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August 10, 2001

Date

Telephone

Number: (212) 969-3000

Signature

Anthony C. Coles, Reg. No. 34,139

Typed or printed name

Proskauer Rose LLP, Patent Dept.

Address

1585 Broadway, New York, NY 10036

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐

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## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

August 10, 2001

Date

Signature

Alexander Mlgirov

Type or printed name of person signing certificate

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